

REMARKS

The Examiner is thanked for withdrawing the prior rejections with respect to claims 8-10 and 12-14 (under 35 USC §§101 and 112, second paragraph), and the prior rejection of claims 1-3, 5-10, 12-17 and 19-21 under 35 USC 102(b) as being anticipated by Marks et al.

The undersigned acknowledges the Examiner's position regarding claims 15-17 and 19-21 with respect to 35 USC §101 and the recitation of "transmission-type media" in the specification. To address this rejection, the written description (and, in particular, the paragraph on page 29, lines 1-13) has been amended to remove the explicit reference associating transmission functionality with the "computer readable medium." Because a claim must be interpreted in accordance with the specification, the "computer-readable medium" as recited in claim 15 no longer what may be considered a non-statutory embodiment. Accordingly, and in view of the Examiner's comment in paragraph 2 of the Office action (last sentence), the Examiner is requested to withdraw this rejection.

Claims 1-3, 5, 7-10, 12, 14-17, 19 and 21 are rejected under 35 USC 103(a) as being unpatentable over Kilkkila, U.S. Patent No. 6,854,060, in view of the Burke et al paper. With respect, this rejection is traversed, as Kilkkila's technique for dynamically modifying an "access right profile" does not precisely read on the "resource" limitations set forth in the claims.

By way of brief background, the Examiner is reminded (e.g., from [0063] of the specification) that a "resource" as used in the subject disclosure is something physical in the distributed data processing system, such as "an application, an object, a document, a page, a file, executable code, or other computational resource, or communication-type resource, etc." and, as important, for which access is controlled or restricted." (emphasis supplied). The "physical" nature of the described "resource" was believed to be inherent in the claim language (prior to the current amendment) due to the inclusion of the phrase "for which a user is authorized to access"; nevertheless, to make this point clear, claims 1, 8 and 15 have been amended herein to clarify that a "resource" within the context of the claim means a "physical resource."

In considering the "scope and content" of the cited prior art, the key question is what is an "access right profile" in Kilkkila, as this is clearly the only construct in the patent that is modified as a result of some condition or event. In this regard, the inventor there describes just two embodiments of the "access right profile," one relating to "users" and the other relating to

“terminals.” (See, column 1, lines 37-39; column 4, line 66 – column 5, line 1). A terminal as used in the patent appears to be some form of management interface device for managing or controlling some operation of the telephone switching system. In this system, apparently a user can use a terminal and enter one or more control commands via a command line interface to control some aspect of the telephone switching system operation.

In the case of an “access right profile” in a first embodiment, that profile includes “which MML (Man Machine Language) command language commands the user is authorized to execute.” (See, column 1, lines 39-42). According to the described system, upon a particular occurrence (e.g., a time of day, a utilization rate, a predetermined alarm, a session duration, a type of command used, or number of sessions held), the profile is modified, in this embodiment to remove or limit the “commands” the user is authorized to execute. (See, column 4, lines 33-45).

In the case of an “access right profile” in a second embodiment, that profile “pertains to a given set of terminals” and defines “the circumstance that sessions relating to the management of the computer system or telephone switching system can only be activated from a given terminal on certain conditions. (See, column 1, lines 47-51). Upon a particular occurrence, in this embodiment the system apparently restricts or limits what a particular user can do on a particular terminal identified in the profile. (See, column 4, lines 54-62). Once again, this is a limitation of the “commands” themselves.

Importantly, Kilkkila does not appear to disclose or suggest any embodiment that restricts access to the management terminal itself.

Turning to the claims, and with reference to claim 1 (by way of example), the Examiner is asked to reconsider the rejection.

With respect to the first Kilkkila embodiment (where the access right profile consists of just a set of commands that may be performed by a user), this embodiment does not reach the claim language. In particular, because the construct that is being modified in Kilkkila is the “access right profile” data, the Examiner must be interpreting the “authorized resources” limitation as the set of commands that are available in the unmodified profile. According to the claim, however, “state information about the set of authorized resources” is then obtained and evaluated so that this set can be pruned down to a set of “entitled resources” that the user is then

permitted to access. In the case of first Kilkkila embodiment, the system there is not obtaining “state information” about the “commands” listed in the access right profile and then pruning that command list to a “set of entitled [commands].” Rather, in Killkila (the first embodiment), the system has a set of commands in the access right profile that are modified according to other factors – but not the “state information about the set of authorized resources.” In other words, if the “authorized resources” equate to the data (the list of commands) in the access right profile, then the claim language is not met.

Turning to the second embodiment, the outcome is no different if the “access right profile” consists of a set of terminals. While it is true that a set of terminals is a “set of physical resources,” the claims (such as representative claim 1) include still other limitations that are not met by the embodiment. In particular, claim 1 further requires that the state information be evaluated to generate the pruned list (the “entitled resources”), but then the claim goes on to require “preventing the user from accessing resources that are in the set of authorized resources but that are not in the set of entitled resources.” In this second embodiment, the occurrence of the condition that triggers the access right profile modification does not limit access to the management terminal; rather, the system only appears to restrict or limit a user’s ability to enter/execute certain commands from that terminal. Stated another way, access to the physical resource – the terminal – is not restricted. Thus, the claim requirement of “preventing the user from accessing resources [the “resources” this time being the terminals identified in the profile]” is not met in this second embodiment either.

Kilkkila teaches defining a set of commands or a set of terminals that are operated by a set of commands and then restricting the command set upon one or more events or occurrences. Despite the similarities in nomenclature, the disclosed method, apparatus and computer program product here address a different problem – “restricting access to a set of physical resources in a distributed data processing system” where a physical resource is a resource for which access (by a user) is controlled or restricted. (See, [0063]. In Kilkkila, and because the only entity being modified is the “access right profile,” Kilkkila is simply “restricting access” to a set of commands in a management interface. While the effect of that restriction might also be to limit some function or operation of the telephone switching system, the particular manner as to how this system restriction is done is not what is being claimed here.

The secondary reference, the Burke paper, does not make up for the deficiencies of Kilkila. The paper is cited merely for the disclosed environment, namely, a “distributed” system. The combination of Kilkila/Burke merely illustrates how an “access right profile” can be modified within the context of a distributed system but, as noted above, what is being modified in the profile is, in effect, nothing more than a set of commands (either per se, or as such commands are associated with a set of identified terminals). This is not the subject matter “as a whole” of any pending claim.

Dependent claims 2, 9 and 16 are each separately patentable because, in addition to not generating a list of entitled resources, Kilkila not disclose or suggest “sending an indication of the set of entitled resources to the user.” Figure 5B illustrates an embodiment of this feature.

Dependent claims 3, 10 and 17 are each patentable for the reasons set forth above in connection with the respective parent independent claim.

Dependent claims 5, 12 and 19 are each patentable for the reasons set forth above in connection with the respective parent independent claim.

Likewise, dependent claims 7, 14 and 21 are each separately patentable because Kilkila/Burke does not obtain “state information” using a “distributed monitoring application.”

For the above reasons, the obviousness rejection should be withdrawn.

New dependent claims 22-27 describe subject matter that has not been previously claimed. In particular, claims 22, 24 and 26 recite that the set of resources are identified by Uniform Resource Identifiers (e.g., URLs) and that the “preventing” function provides the user a web page without a particular URI for an authorized but non-entitled resource. This subject matter is described, for example, at [0057] and [0063].

New dependent claims 23, 25 and 27 recite that the set of resources may include a resource that one user (having a given status) may be entitled to access while another user (not having the given status) may not be entitled to access (even though, e.g., the same resource is otherwise available). This subject matter is described, for example, at [0058-0060].

Kilkila/Burke does not disclose or suggest any such web-based functionality (claims 22, 24 and 26), or the selection access restriction based on user status (claims 23, 25 and 27).

A Notice of Allowance is requested.

Respectfully submitted,

/David H. Judson/

By: _____
David H. Judson, Reg. No. 30,467

ATTORNEYS FOR APPLICANT

January 21, 2009